

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 21, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 14, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Workman moved and Heier seconded approval of the Board of Equalization minutes dated September 14, 1999. On call Campbell, Heier, Workman and Steinman voted aye. Hudkins was absent from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 77 additions and deductions to the tax assessment rolls per Exhibit "A".
(19991852) (19991860)

MOTION: Workman moved and Steinman seconded approval of the additions and deductions. On call Heier, Campbell, Steinman and Workman voted aye. Hudkins was absent from voting. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Cedars Youth Services
Family Service
St Teresa Church

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Family Service and St Teresa Church and also for Cedars Youth Services subject to the vehicle(s) being titled and registered to the applicant. On call Steinman, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

4) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

Setting of a public hearing for Tuesday, October 5, 1999 at 2:30 p.m. in the Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for Pine Lake Development LLC.

By direction of the Chair, a public hearing was set for Tuesday, October 5, 1999 at 2:30 p.m. in the Commissioners Chambers on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for Pine Lake Development LLC.

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Mark L and Linda T Peniska

The Assessor recommended a value of \$90,100.

MOTION: Steinman moved and Workman seconded to accept the Assessor's recommendation to set the value for omitted or undervalued property for Mark L and Linda T Peniska at \$90,100. On call Steinman, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

6) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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MOTION: Workman moved and Hudkins seconded approval of the Board of Commissioners minutes dated September 14, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, September 21, 1999.**

MOTION: Steinman moved and Heier seconded approval of the claims processed through September 21, 1999. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. Overview of upcoming budget year for Southeast Community College - Jack Huck, President.

Jack Huck, President of Southeast Community College, appeared and distributed copies of the 1998-1999 annual report (Exhibit 1).

A brief overview was given highlighting the following areas:

- * Enrollment from 1988 through 1999
- * Job placement/continuing education
- * Partners with national and local business and industry

- * Traditional programs and distance education
- * Expenditures and revenues

B. Solicitation from the National Institute of Justice to make Lancaster County an Arrestee Drug Abuse Monitoring (ADAM) Site - Mike Thurber, Corrections Director and Gary E Lacey, Lancaster County Attorney

Mike Thurber, Corrections Director, stated the Arrestee Drug Abuse Monitoring Sites will be expanded to include 15 new communities. He stated county jails involved would have the opportunity to have monitors ask arrestees, 48 hours after being arrested and detained, to voluntarily participate in questions relating to their arrest, drug use and a urinalysis.

Gary Lacey, County Attorney, stated he feels that being an Arrestee Drug Abuse Monitoring Site would be beneficial for the County and the City because it will give them additional data and it will also give them an indication as to how well the court systems and treatment centers are functioning, as well as how the entire criminal justice system is performing.

In response to a question asked by Workman regarding funding, Thurber explained that there is no monetary grant which the County would receive, however, the University of Nebraska-Omaha would receive funds to hire interviewers to go on site to gather data.

3) **SPECIAL PRESENTATIONS:**

MOTION: Hudkins moved and Workman seconded to authorize Mike Thurber, Corrections Director and Gary E Lacy, Lancaster County Attorney, to submit an application requesting that Lancaster County be made an Arrestee Drug Abuse Monitoring Site and to also authorize Kathy Campbell, Chair of the Board of Commissioners, to sign the application if necessary. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

An application for an amusement license for Barry's Bar and Grill to hold a music concert, with retail sale of food and beverages, on a rural acreage located at approximately 40th and West Van Dorn Streets on Saturday, September 25, 1999 from 12 p.m. to 1 a.m. (19991796)

The Chair opened the public hearing and asked if anyone wished to testify in favor.

Mike Webb, Barry's Bar and Grill, appeared to answer any questions.

In response to a question asked by Steinman, Webb stated the area has been used as a cow pasture periodically, however, employees will be sent out on a detail to clean up the area.

Heier asked Webb how difficult the process was and how much time it took.

Webb stated it was difficult in the sense of not knowing the particular procedures. He stated it was his understanding that the County is working on a way to explain the procedure. Webb noted it would have been simplified the process if he would have had the amusement license application to complete along with the Special Designated License application.

Workman stated he objected to the Special Designated License application because of concerns regarding the infrastructure, however, after reviewing additional information he would be supporting the amusement license.

Campbell noted the concerns of the Parks and Recreation Department have been addressed.

MOTION: Heier moved and Steinman seconded approval of an application for an amusement license for Barry's Bar and Grill to hold a music concert, with retail sale of food and beverages, on September 25, 1999. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

5) **OLD BUSINESS:**

A grant contract giving Berniklau Educational Solutions Team \$62,400 for a Juvenile Diversion Program Day Reporting Center. The term of the contract is September 1, 1999 through August 31, 2000 and is to be paid quarterly. (19991759)

Campbell noted concerns expressed by Terry Wagner, County Sheriff, have been addressed.

MOTION: Steinman moved and Heier seconded approval. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

A. An application for a Special Designated License from Wine Merchants Inc. to hold the Patterson wedding reception on Saturday, October 16, 1999 from 5 p.m. to 1 a.m. at the Denton Community Center located at 7115 Lancaster in Denton, Nebraska. (19991692) (19991787) (19991763) (19991714)

This item was withdrawn from the agenda.

B. A purchase agreement with Election Systems and Software to purchase two balloting machines, at a total cost of \$86,000. (19991819)

Heier noted there would be no maintenance agreement.

MOTION: Heier moved and Steinman seconded approval. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

C. An interlocal agreement with the City of Lincoln and Saunders County to establish a Local Workforce Investment Area pursuant to the Workforce Investment Act of 1998. (19991778)

Jan Norlander Jensen, Urban Development, appeared and explained the agreement formalizes the partnership between the City of Lincoln, Lancaster County and Saunders County to develop a workforce investment system.

The Workforce Investment Act, she stated, will take effect July 1, 2000 and replace the Job Training Partnership Act. Norlander Jensen further explained that the Workforce Investment Act expands the scope and mission of federally funded employment and training programs.

Submitted into the record was a flyer regarding the Workforce Investment Act Community Forum (Exhibit 2).

In response to a question asked by Workman, Dan Cain with Urban Development, explained that the State receives approximately \$6,000,000 for the Job Training Partnership Act. He noted that the Lincoln area generates approximately seven to eight percent of the \$6,000,000 and that the County does not provide any funding.

MOTION: Heier moved and Workman seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

D. Grant contracts with the following beginning July 1, 1999 and ending June 30, 2000 :

- * **Lincoln Medical Education Foundation (grantee) for general operations for the Family Violence Project. The County will pay \$15,000 in quarterly payments over the course of the contract. (19991832)**
- * **Heartland Big Brothers/Big Sisters (grantee) for mentoring programs. The County will pay \$7,500 in quarterly payments over the course of the contract. (19991833)**
- * **Saint Monica's (grantee) for substance abuse treatment for women. The County will pay \$10,000 in quarterly payments over the term of the contract. (19991834)**
- * **Lincoln Interfaith Council, Inc (grantee) for general operations for individuals in crisis and in need of emergency assistance and to continue the emergency food pantry system. The County will pay \$5,000 quarterly over the term of the contract. (19991835)**
- * **Houses of Hope (grantee) for drug and alcohol services for persons in need of assistance. The County will pay \$44,877 in quarterly amounts over the term of the contract. (19991836)**
- * **Lincoln Council on Alcoholism and Drugs (grantee) for general operations and specific projects to prevent substance abuse. The County will pay \$34,471 in quarterly payments over the term of the contract. (19991837)**

- * **Vital, Inc for developmental disability services to residents of Lancaster County. The County will make quarterly payments over the course of the contract based upon a percentage of the number of clients served. (19991838)**

MOTION: Steinman moved and Hudkins seconded approval.

Campbell noted that the agencies are joint budget agencies and are reviewed and approved by both the County and the City through the Joint Budget Committee (JBC).

Steinman stated the grant contract with Vital, Inc. is not part of the Joint Budget Committee (JBC).

ROLL CALL: Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- E. Families First and Foremost Grant with the Department of Health and Human Services for comprehensive community health services for children and their families, beginning August 1, 1999 and ending June 30, 2000, in the amount of \$814,000.**

Kerry Eagan, Chief Administrative Officer, stated there were some concerns regarding some of the provisions of the contract and noted that Dave Johnson, Deputy County Attorney, has reviewed, revised and added protective language to the contract which will allow the County to rescind the contract with no additional liabilities.

MOTION: Steinman moved and Heier seconded tentative approval of the contract subject to completion of revisions by Dave Johnson, Deputy County Attorney and signature by Kathy Campbell, Chair of the Lancaster County Board.

Heier commended both Eagan and Johnson for their review and revisions to the contract.

- F. A resolution approving the issuance of \$5,000,000 Hospital Authority Number 1 of Lancaster County, Nebraska Revenue Bonds (Eastmont Towers Project), Series 1999. (19991859)**

Kevin Siebert, bond counsel, appeared and gave a brief background relating to Hospital Authority Number 1. He explained the Hospital Authority was organized by the County Board and has the ability to issue bonds to fund medical related facilities which are tax exempt for federal tax purposes. He stated the tax code requires that an elected board or an elected official formally approve the action by the Hospital Authority.

Siebert stated that the issue is \$5,000,000. The bonds have been priced at an average rate of 5.6 percent and mature over a 20 year period. The proceeds of the bonds, he said, will be used by Eastmont Towers to construct an addition to the existing facility at 63rd and "O" Streets.

In response to a question asked by Heier, Siebert stated Eastmont Towers is a 501C-3 charitable entity.

MOTION: Steinman moved and Hudkins seconded approval of Resolution 99-1859. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

G. Authorization of the installation/removal of the following traffic signs in Lancaster County, Nebraska: (19991853)

- * **Installation of a "Stop" sign on Mill Road at North 190th Street for eastbound traffic**
- * **Install "Stop" signs on North 190th Street for north and southbound traffic at Waverly Road**
- * **Removal of the "Pavement Ends" sign and the "50 mile per hour" speed limit sign on Holdrege Street one-half mile east of North 112th Street for eastbound traffic**

In the Ridgewood subdivision by the Ridgewood subdivision association:

- * **Installation of a "No Outlet" sign on Southwest 24th Street north of West Ridgewood Boulevard for northbound traffic**
- * **Installation of a "25 mile per hour" speed limit sign on Southwest 22nd Street inside the Ridgewood boundary, for southbound traffic from Cardwell Woods subdivision**
- * **Installation of a "25 mile per hour" speed limit sign on West Foothills Road inside the Ridgewood boundary for westbound traffic entering from Burr Oaks subdivision**

MOTION: Steinman moved and Heier seconded approval of Resolution 99-1853. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

H. Recommendation from Steve Flanders, Public Building Commission Project Manager, to award a bid for courtroom pews to be located in the Justice and Law Enforcement Center to Sauder Manufacturing, in the amount of \$47,266. (19991820)

MOTION: Hudkins moved and Steinman seconded approval. On call Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

I. A political subdivision tort claim filed against Lancaster County by Stephanie Antholz for damage to her vehicle, in the amount of \$1,159.82. (19991691.)

Steinman noted the amount Sue Eckley, Risk Manager, recommended to be paid was \$1,099.82.

MOTION: Steinman moved and Heier seconded to approve a tort claim filed by Stephanie Antholz, in the amount of \$1,099.82. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of the following public hearings for Tuesday, October 5, 1999 at 1:30 p.m. in the Commissioners Chambers located on the first floor of the County-City Building:

- 1. Final Plat 99010, Meadow View, generally located in the northwest corner of Southwest 84th Street and West Van Dorn Streets in Lancaster County, Nebraska. (19991839)**
- 2. County Board of Zoning Appeals, Appeal 109, requested by Peter W Katt on behalf of Patti Hinzman and Dennis Eucher, alleging an error of interpretation of Section 4.017(f)(2) and 4.017(f)(1) relating to determination of lot use and for a variance relative to buildable lot area, average lot width, minimum frontage and requirements for common ownership of adjoining lots on property located at South 96th Street and Saltillo Road in Lancaster County, Nebraska. (19991840)**
- 3. County Change of Zone 190, requested by the Interim Director of Planning, at the request of the Lancaster County Board, for a text amendment to the Lancaster County Zoning Resolution to declare a Limited Moratorium on off-premise signs of 150 square feet or more in area in all zoning districts through February 10, 2000. (19991843)**

MOTION: Steinman moved and Heier seconded approval of the Consent Items. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Steinman moved and Hudkins seconded to adjourn the Board of Commissioners meeting. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk